



PATENT
9D-EC-19343

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul Allan Ryder

Serial No.: 09/480,343

Group Art Unit: 2128

Filed: January 10, 2000

Examiner: Hugh M. Jones

For: METHOD, SYSTEM, AND PROGRAM PRODUCT
FOR MANAGING BUILDING OPTIONS

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PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT

Mail Stop: PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.181(a), and MPEP 711.03(b), Applicants hereby petition to Withdraw the Holding of Abandonment in the above-referenced Utility Patent Application for failure to reply to an Office Action. Specifically, a Notice of Abandonment was issued by the U.S. Patent and Trademark Office ("USPTO") on June 27, 2005. Based on this Notice, the application was abandoned because of Applicants' purported failure to reply to an Office Action mailed February 12, 2004.

The statutory response deadline for the Office Action was on, or before, May 12, 2004. Applicants respectfully submit that a response to the above Office Action (16 pgs.; consisting of: Certificate of Facsimile Transmission: 1 pg.; Amendment Transmittal: 3 pgs.; & Amendment: 12 pgs.) was in fact timely filed on Friday, May 12, 2004, at 17:51 CST by facsimile to USPTO facsimile number (703) 872-9306, and that the application is not in fact abandoned. A transmission report dated Friday, April 16, 2004 at 17:57 CST was generated following transmission stating "Transmission OK".

Submitted herewith are:

1. A copy of the originally filed AMENDMENT (12 pages).

2. A copy of the originally filed TRANSMITTAL (3 pages) and CERTIFICATE OF FACSIMILE TRANSMISSION TO THE COMMISSIONER OF PATENTS AND TRADEMARKS (1 page) both dated May 12, 2004.
3. A copy of the Transmission Report confirming transmission of 16 pages to the USPTO facsimile number (703) 872-9306 on Wednesday, May 12, 2004 at 17:51 CST.
4. A statement attesting by personal knowledge of the timely transmission.

Applicants respectfully submit that the above submissions are evidence of Applicant's timely filing of a response to the Office Action dated February 12, 2004. Therefore, Applicant respectfully requests that the holding of abandonment be withdrawn and that the herewith submitted AMENDMENT be entered into the record as a timely filed response to the Office Action dated February 12, 2004.

Applicant believes that no fee is due for this petition under 37 C.F.R. § 1.181(a). If a fee is due, then the Commissioner is hereby authorized to charge the correct fee to Deposit Account No. 01-2384.

Respectfully submitted,



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